IV. REMARKS

1. The title and specification are amended. Claims 1, 10, 11, 13, 30, 38, and 39 are amended. Claims 40-41 are new.

2. Claims 13 and 38 have been amended to address the 35 U.S.C. §101 rejections.

3. The claims are amended to address the 35 U.S.C. §112, second paragraph rejections.

4. Applicant has submitted all known version of the SyncML Sync Protocol, it is aware of. Version 1.0 is dated December 7, 2000 and Version 1.0.1 is dated June 15, 2001. Copies are again attached hereto.

5. Applicant respectfully submits that there is no evidence to support a publication date earlier than the release date of version 1.0 of the SyncML Synch Protocol. There is no indication of the publication or release of the intermediate versions reflected in the Revision History section on page 2 of both version 1.0 and 1.0.1. It is submitted that there is no evidence to support an effective publication date as of 1999, as has been suggested. Applicant has attempted to obtain copies of the earlier reference version, but has not had any success, and submits they do not exist publicly.

Applicant encloses a copy of a document entitled "Materials from Affiliates-SyncML." This document provides a listing of available documents related to the SyncML protocol specification, and does not make anything publicly available earlier than version 1.0.

Applicant also encloses a document entitled "XML-Managing Data Exchange/SyncML." The document states that "SyncML started as an initiative in mid 2000." With respect to document releases, the document states that the "consortium released version 1.0 in December 2000." This is consistent with the Revision History that states that Revision 1.0, dated December 7, 2000, was the "candidate version or the final release."

Furthermore, even if there were any valid publication of the SyncML specification that could properly be a prior art reference, the reference does not teach each feature claimed by Applicant and does not anticipate Applicant's invention under 35. U.S.C. §102.

Claim 1 recites determining "coding instructions" by which at least one of the required identifiers can be coded into a bit sequence requiring substantially fewer bits than the identifiers ASCII presentation. The identifiers are the identifier of the synchronization server, the version identifier and the identifier of the requested synchronization server. These features are not disclosed or suggested by SyncML.

In SyncML version 1.0.1, chapter 4 describes synchronization initialization (Figure 6; Packages #1 and #2). Chapter 8 describes the Server Alerted Sync preceding synchronization initialization (Figure 10, Package #0). i.e. the possibility of a synchronization server to indicate to a synchronization client need for starting a synchronization session, in order for the synchronization client to initiate synchronization initialization. The One_Way sync from client described in Chapter 6, only discloses the general package flow of a specific sync type and initialization is merely mentioned as precondition (Figure 8). Chapter 4.1 discloses initialization requirement for

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a synchronization client, i.e. what the client shall include in a initialization message (Package #1) to a synchronization server. Chapter 4.2 specifies requirements of synchronization server for initialization (Package #2), i.e. after receiving the initialization message from the client, but has nothing to do with transferring a request from the server to the client indicating need for starting a session (which would be done by the Package #0). Chapter 8 regards contents of a request from the synchronization server to a synchronization client for indicating need for starting a session.

However, there is no disclosure in SyncML related to coding instructions, by which at least one of the identifiers (an identifier of the synchronization server, a version identifier, and an identifier of the requested synchronization session) can be coded into a bit sequence requiring substantially fewer bits than its ASCII presentation, in the synchronization server, and decoding instructions, by means of which the original identifier is obtained from the bit sequence, in the client device.

There is also no disclosure of applying such coding instructions for arranging presentation of at least one of identifiers in a bit sequence defined according to the coding instructions in a message for request indicating need for staring a session to a client device (which would be the Package #0) as claimed by Applicant. Further, there is no disclosure of storing and applying decoding instructions in a client device utilized for converting information to be used to form an initialization message as is claimed by Applicant.

Significantly, SyncML does not disclose or suggest forming an initialization message such that at least part of the information in the initialization message is defined from the received bit

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sequence by means of the decoding instructions as is claimed. While the Examiner refers to section 4.3.1 of SyncML, this section only describes the need to resend the sync initialization package again later. There is no disclosure here, or elsewhere in SyncML, of "forming an initialization message on the basis of information included in the received message" where at least part of the information is defined from the received bit sequence by means of the decoding instructions as claimed. Thus, at least this feature cannot be anticipated.

One advantage of the recited claims is the reduced message size and the availability of a single short message by a server to trigger session initiation. This is not seen in the cited reference.

Thus, each feature of claim 1 is not disclosed or suggested by SyncML. Thus, the claim cannot be anticipated. Claims 10, 11, 13, 30, 38 and 39 recite similar features, and are equally not anticipated. Claims 2-9, 15-22 and 31-37 should be allowable at least by reason of their respective dependencies.

It is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Checks in the amount of $120 and $400 are enclosed for a one-month extension of time and two additional independent claims (40-41). The Commissioner is hereby authorized to charge payment

for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

[signature]

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[handwritten: 11 May 2006]
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I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to MAIL STOP AMENDMENT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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